

10 Rec'd PCT/PTB 17 JUL 2004

PATENT COOPERATION TREATY

PCT

NOTIFICATION RELATING TO
DECLARATION MADE UNDER PCT RULE 4.17

(PCT Rules 26ter.2(b), 47.1(a-ter) and 48.2(a)(x)
and Administrative Instructions, Section 419)

From the INTERNATIONAL BUREAU

To:

GREENMAN, Jeffrey, M.
Bayer Pharmaceuticals Corporation
400 Morgan Lane
West Haven, CT 06516
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year) 28 May 2003 (28.05.03)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference 5108NIP1-PCT	
International application No. PCT/US03/05396	International filing date (day/month/year) 21 February 2003 (21.02.03)
Applicant BAYER PHARMACEUTICALS CORPORATION	

- The applicant is hereby notified of the following regarding the declaration indicated below in respect of
(name(s) indicated in the declaration) ZHANG, Chengzhi; BURKE, Michael; CHEN, Zhi; DUMAS, Jacques; FAN, Dongping;
FAN, Jianmei; HATOUM-MOKDAI, Holia; JONES, Benjamin, D.; LADOUCEUR, Gaetan; LEE, Wendy; PHILLIPS, Barton
 - ☐ declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i) and Section 211)
 - ☐ declaration as to the applicant's entitlement, as at the international filing date, to apply for or be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii) and Section 212)
 - ☐ declaration as to the applicant's entitlement, as at the international filing date, to claim priority of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii) and Section 213)
 - ☒ declaration of inventorship (for the purposes of the designation of the United States of America) (Rules 4.17(iv) and 51bis.1(a)(iv) and Section 214)
 - ☐ declaration as to non-prejudicial disclosures or exceptions to lack of novelty (Rules 4.17(v) and 51bis.1(a)(v) and Section 215)
- ☒ Addition or correction of the declaration within the time limit under Rule 26ter.1.

The added or corrected declaration was received on (date), 08 May 2003 (08.05.03) which was received within the time limit under Rule 26ter.1.

Any declaration referred to under items 1(i) to (iv) whether or not the declaration complies with Rule 4.17, will be communicated to the designated Offices concerned pursuant to Rule 47.1(a-ter) and any declaration referred to under item 1(v) will be published as part of the pamphlet pursuant to Rule 48.2(a)(x).
- ☐ Failure to add or correct the declaration within the time limit under Rule 26ter.1.

The declaration, was received on (date) which was after the expiration of the time limit under Rule 26ter.1; therefore, any such declaration referred to under items 1(i) to (iv) will not be communicated to the designated Offices concerned, any such declaration referred to under item 1(v) will not be published as part of the pamphlet, and any signed declaration referred to under item 1(iv) is attached. Such declaration should be submitted by the applicant directly to the designated Offices concerned.
- The applicant's attention is drawn to Rule 51bis.2 which provides that the designated Office shall not, unless it may reasonably doubt the veracity of the declaration concerned, require any document or evidence relating to the subject matter of any declaration complying with Rule 4.17(i) to (iv) which is contained in the request or submitted to the International Bureau or directly to the designated Office. Note, however, that Rule 51bis.2 may not apply in respect of certain States. For further information, see Notes to the request form, Box No. VIII.
- A copy of this notification is being sent to the receiving Office and the International Searching Authority.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Carlos NARANJO
Facsimile No. (41-22) 338-70-90	Telephone No. (41-22) 338.83.49

Form PCT/IB/371 (March 2001)

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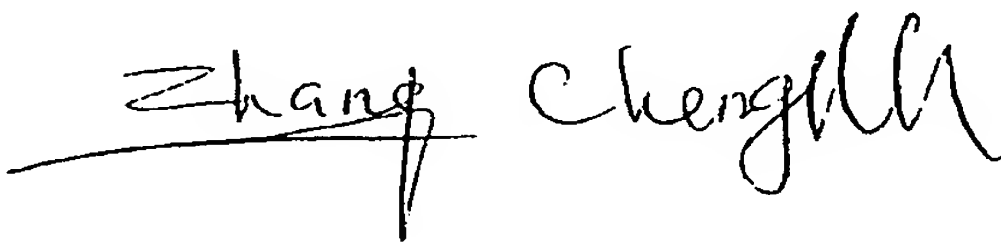
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VIII-4-1	<p>Declaration: Inventorship (only for the purposes of the designation of the United States of America)</p> <p>Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv)) for the purposes of the designation of the United States of America:</p>	<p>I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.</p> <p>This declaration is directed to the international application of which it forms a part (if filing declaration with application).</p> <p>I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.</p> <p>I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.</p>
VIII-4-1 -1	Prior applications:	



		<p>I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>
VIII-4-1 -1-1	Name:	ZHANG, Chengzhi
VIII-4-1 -1-2	Residence: (city and either US State, if applicable, or country)	Orange, Connecticut
VIII-4-1 -1-3	Mailing address:	193 Mulberry Lane
VIII-4-1 -1-4	Citizenship:	CA
VIII-4-1 -1-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII-4-1 -1-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	03/04/2003

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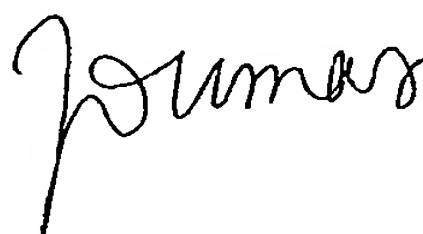

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VIII-4-1 -2-1	Name:	BURKE, Michael
VIII-4-1 -2-2	Residence: (city and either US State, if applicable, or country)	New Haven, Connecticut
VIII-4-1 -2-3	Mailing address:	216 Bishop Street Apt. 309 CA
VIII-4-1 -2-4	Citizenship:	CA
VIII-4-1 -2-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII-4-1 -2-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	03/03/03
VIII-4-1 -3-1	Name:	CHEN, Zhi
VIII-4-1 -3-2	Residence: (city and either US State, if applicable, or country)	Hamden, Connecticut
VIII-4-1 -3-3	Mailing address:	865 Mix Avenue #409
VIII-4-1 -3-4	Citizenship:	CN
VIII-4-1 -3-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII-4-1 -3-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	02/28/03

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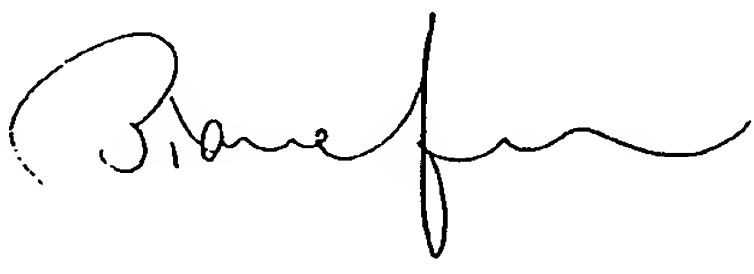

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VIII-4-1 -4-1	Name:	DUMAS, Jacques
VIII-4-1 -4-2	Residence: (city and either US State, if applicable, or country)	Bethany, Connecticut
VIII-4-1 -4-3	Mailing address:	98 Farmview Road
VIII-4-1 -4-4	Citizenship:	FR
VIII-4-1 -4-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII-4-1 -4-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	February 28, 2003
VIII-4-1 -5-1	Name:	FAN, Dongping
VIII-4-1 -5-2	Residence: (city and either US State, if applicable, or country)	North Haven, Connecticut
VIII-4-1 -5-3	Mailing address:	114 Fitch Street
VIII-4-1 -5-4	Citizenship:	CN
VIII-4-1 -5-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII-4-1 -5-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	3/3/03

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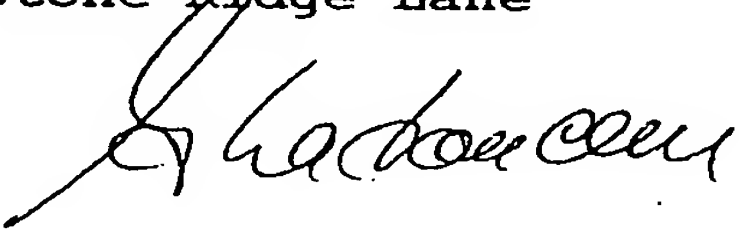
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VIII-4-1 -6-1	Name:	FAN, Jianmei
VIII-4-1 -6-2	Residence: (city and either US State, if applicable, or country)	Hamden, Connecticut
VIII-4-1 -6-3	Mailing address:	121 October Hill Road
VIII-4-1 -6-4	Citizenship:	CN
VIII-4-1 -6-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII-4-1 -6-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	3/3/2003
VIII-4-1 -7-1	Name:	HATOUM-MOKDAD, Holia
VIII-4-1 -7-2	Residence: (city and either US State, if applicable, or country)	Hamden, Connecticut
VIII-4-1 -7-3	Mailing address:	43 Joseph Lane
VIII-4-1 -7-4	Citizenship:	US
VIII-4-1 -7-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII-4-1 -7-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	2.28.2003

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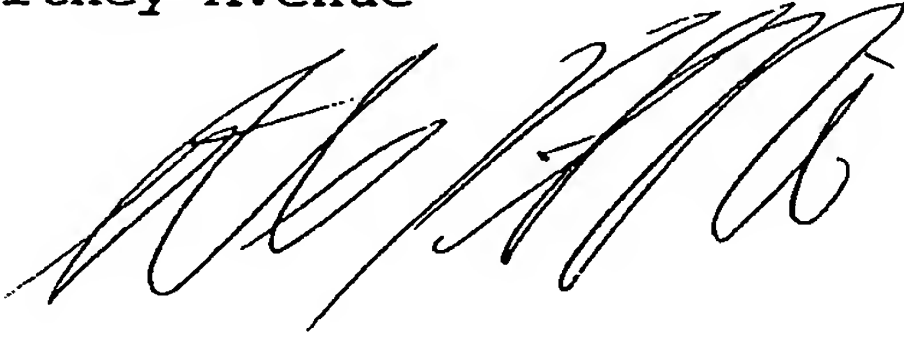
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VIII-4-1 -8-1	Name:	JONES, Benjamin, D.
VIII-4-1 -8-2	Residence: (city and either US State, if applicable, or country)	Hamden, Connecticut
VIII-4-1 -8-3	Mailing address:	37 Washington Avenue
VIII-4-1 -8-4	Citizenship:	US
VIII-4-1 -8-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII-4-1 -8-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	3/3/03
VIII-4-1 -9-1	Name:	LADOUCEUR, Gaetan
VIII-4-1 -9-2	Residence: (city and either US State, if applicable, or country)	Branford, Connecticut
VIII-4-1 -9-3	Mailing address:	31 Stone Ridge Lane
VIII-4-1 -9-4	Citizenship:	CA
VIII-4-1 -9-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII-4-1 -9-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	02-28-2003

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VIII-4-1 -10-1	Name:	LEE, Wendy
VIII-4-1 -10-2	Residence: (city and either US State, if applicable, or country)	Hamden, Connecticut
VIII-4-1 -10-3	Mailing address:	282 Evergreen Avenue
VIII-4-1 -10-4	Citizenship:	US
VIII-4-1 -10-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII-4-1 -10-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	03-03-03
VIII-4-1 -11-1	Name:	PHILLIPS, Barton
VIII-4-1 -11-2	Residence: (city and either US State, if applicable, or country)	New Haven, Connecticut
VIII-4-1 -11-3	Mailing address:	498 Whitney Avenue
VIII-4-1 -11-4	Citizenship:	US
VIII-4-1 -11-5	Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII-4-1 -11-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	03-03-03

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